



MARK A. HACKEL

OFFICE OF THE SHERIFF

Kent B. Lagerquist
UNDERSHERIFF

House subcommittee on Tourism, outdoor recreation and Natural resources.

Regarding House Bill 4143 (2007)

- 1) Decriminalization of certain Watercraft violations has merit to allow for the issuance of civil infractions. Civil infractions require less time to issue and report.
- 2) Currently the issuance of a violation that is a misd. Requires a ticket, a report to be generated outlining the facts and circumstances to support a warrant authorization by a prosecuting attorney.
- 3) Upon service of the authorization to the local district court the warrant must be signed in front of the Judge to begin a court file. The subject then is required to appear in court where the warrant is satisfied at his arraignment.
- 4) Misdemeanors require a criminal record build for a criminal history. This requires printing and processing.
- 5) Civil Infractions would apply to relatively minor administrative violation **not** acts such as intoxicated operation, reckless operating etc. those would remain Misdemeanors under the act and as recognized by applicable state law.
- 6) Deputies would be free to issue a civil infraction much as they do for a violation of the vehicle code eliminating the additional paperwork and follow up to the prosecutor and the courts. Courts can still impose up to a \$500.00 fine upon finding of "responsible" to the civil infraction.
- 7) This streamlining of enforcement of certain violations of the act allows us to not burden the courts with additional paperwork. Takes less time to conduct a stop and issuance of violations. This allows Deputies to return to patrol faster and save costs in overtime by not having Deputies appear in court both for the criminal case but to sign the warrant during court operational hours.

Thankyou,

Mark A. Hackel/Sheriff Macomb County
Richard S. Kalm
Captain/Chief of Staff